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August 2, 2021

**By ECF**

The Honorable Jesse M. Furman  
Thurgood Marshall United States District Court  
40 Centre Street, Room 2202  
New York, New York 10007

**Re: *Donoghue v. Sinclair Broadcast Group, Inc.*, No. 21-cv-4811-JMF**

Dear Judge Furman:

We represent Defendant David D. Smith in the above-captioned matter. I am writing to request that the court strike ECF No. 15 from the docket, as it contains an error which is corrected in the revised brief filed at ECF No. 18. Namely, in the preliminary statement the original states that the complaint fails to allege a “sale” when it should have read that the complaint fails to allege a “purchase” within the purview of Section 16(b) of the Securities Exchange Act of 1934. As the revised brief corrects this issue, we respectfully request that the Court grant this letter-motion to strike ECF No. 15.

Respectfully submitted,

/s/ Dennis H. Tracey III

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Application GRANTED, although the Clerk of Court need not and should not remove ECF No. 15 from the docket. The Court will treat ECF No. 18 as the operative memorandum of law in support of Defendant's motion to dismiss at ECF No. 14. The Clerk of Court is directed to terminate ECF No. 19.

SO ORDERED.



August 4, 2021